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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/730,679	12/06/2000	Nabil Khalifa	PHF 99, 618	8828
24737	7590	02/08/2005	EXAMINER	
PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510			WILSON, ROBERT W	
			ART UNIT	PAPER NUMBER
			2661	

DATE MAILED: 02/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/730,679	<b>Applicant(s)</b> KHALIFA ET AL.	
	<b>Examiner</b> Robert W Wilson	<b>Art Unit</b> 2661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 05 January 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 6-14 is/are rejected.
- 7) ☒ Claim(s) 5,10 and 15-20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 December 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

**1.0** The finality of the last Office action is withdrawn, and the amendment after final on 1/5/05 has been entered. Claims 1-20 are entered.

#### ***Drawings***

**2.0** The drawings are objected to because: Figs 1-4 drawing elements (For example 17,25,22, 20 etc. per Fig 1 are drawing elements) do not have descriptive labels. The examiner recommends that the applicant add descriptive labels to all of the drawing elements. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled “Replacement Sheet” in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

#### ***Specification***

**3.0** The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant’s use.

### **Arrangement of the Specification**

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or  
REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (e) BACKGROUND OF THE INVENTION.
  - (1) Field of the Invention.
  - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (f) BRIEF SUMMARY OF THE INVENTION.
- (g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (h) DETAILED DESCRIPTION OF THE INVENTION.
- (i) CLAIM OR CLAIMS (commencing on a separate sheet).
- (j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

The examiner objects to the specification because the specification lacks the proper headings. The examiner recommends that the applicant submit a substitute specification with the proper headings without adding new matter.

### ***Specification***

**4.0** The examiner objects to the abstract because it has references to elements in a figure and because it has a reference to a figure. The examiner recommends deletion of the reference to the figure elements as well as the reference to the figure.

### *Claim Objections*

**5.0** Claims 2, 4-5, & 16-20 are objected to because of the following informalities:

Referring to Claim 2, the examiner objects to the phrase “is known to all the stations of the second type”. The applicant is trying to say that the same synchronization circuit is used by all first type stations not known by all of the stations of the second type.

Referring to Claim 4, the examiner objects to the wording of the limitation “first type comprises a receiving circuit to be shared by all the stations”. The examiner believes that the applicant is not trying to say that the receiving circuit is not shared by all the same stations. The applicant is trying to say that all of the first type stations have the same kind of receiving circuit.

Referring to Claim 5, the examiner objects to the wording of the limitations “measuring the receive clock derivation made at the stations of the second type”, “comparing the transmit clock at the station of the second type by adopting the opposite deviation”, and “single synchronization of the receive clock at the station of the first type ”.

The examiner suggests “ measuring the deviation of the receive clock in the station of the second type”, “compare the transmit clock to the receive clock in the station of the second type and correcting said transmit clock by adopting the opposite of the deviation which results in being synchronized with the receive clock of the station of the first type”.

**Please note that correction of objections to claims 5 would make this claim allowable because the closest prior art Bunker does not disclose “compare the transmit clock to the receive clock in the station of the second type and correct said transmit clock by adopting the opposite of the deviation”. In Addition claims 16-20 would also be allowable because they depend upon claim 5.**

Referring to claims 10 and 15, the examiner objects to “modifying or means for modifying the clock frequencies in response to the frequency drift”. The examiner suggests “modifying or means for modifying the clock in response to the frequency drift”. A clock does not have frequencies. **Please note that correction of objections to claims 10 & 15 as well as incorporation of the limitations in all of their dependent claims into the independent claim would make the claim allowable.**

Appropriate corrections are required.

***Claim Rejections - 35 USC § 103***

**6.0** The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 & 6-9, & 11-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ejzak (U.S. Patent No: 6,389,066) in view of Bunker et. al. (U.S. Patent No.; 6,314,128).

Referring to Claim 1, Ejzak teaches a transmission system (Fig 2) which has a Base Station (First Type) and a Mobile Station (2<sup>nd</sup> Type) per Fig 2.

Ejzak does not expressly call for: a timing controller or synchronizing circuit that provides chip fractions but teaches a Receiver in a Mobile Station (2<sup>nd</sup> Type) per Fig 2.

Bunker teaches: Clock or Timer in the receiver (timing controller) per the abstract or element 32 per Fig 2. and a Digital Locking device (element 30 per Figs 1 & 2) which determines fractional chips per col. 6 lines 37-67.

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the clock timing (Timing controller) and the Digital Locking device which determines chip fractions to the receiver of Ejzak in order for the invention to work.

Referring to Claim 4, Ejzak teaches a transmission system (Fig 2) which has a Base Station (First Type) and a Mobile Station (2<sup>nd</sup> Type) and shows that the receiving circuit is the same or shared by all mobile stations (2<sup>nd</sup> Type) per Fig 2.

Ejzak does not expressly call for: a timing controller or synchronizing circuit that provides chip fractions but teaches a Receiver in a Mobile Station (2<sup>nd</sup> Type) per Fig 2.

Bunker teaches: Clock or Timer in the receiver (timing controller) per the abstract or element 32 per Fig 2. and a Digital Locking device (element 30 per Figs 1 & 2) which determines fractional chips per col. 6 lines 37-67.

It would have been obvious to one of ordinary skill in the art at the time of the invention to add the clock timing (Timing controller) and the Digital Locking device which determines chip fractions to the receiver of Ejzak in order to improve the synchronization between a receiver and transmitter and thus minimize multipath or noise interference effects.

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In Addition Ejzak teaches:

Regarding claim 2, the primary reference teaches a receiver which has an inherent synchronizing circuit is the same in all mobile stations (2<sup>nd</sup> Type)

In Addition Bunker teaches:

Regarding claim 3, the Digital Locking Circuit per Figs 1 & 2 determines the fractional chip shift based upon maximum RSSI per col. 6 lines 38-67 which performs the same function as determining frequency drift.

Regarding claim 6 & 11, the applicant broadly claims "satisfactory synchronization". The examiner interpret that the fractional chip shift determined by the Digital Locking Circuit per Figs 1 & 2 and per col. 6 lines 38-67 is satisfactory.

Regarding claims 7 & 12, The Digital Locking Circuit per Fig 1 has feedback so it is based upon chip fractions previously produced.

Regarding claims 8 & 13, The Digital Locking Circuit per Fig 1 has feedback so it is based upon chip fractions just produced.

Regarding claims 9 & 14, the Digital Locking Circuit per Figs 1 & 2 determines the fractional chip shift based upon maximum RSSI per col. 6 lines 38-67 performs the same function as determining frequency drift.

### ***Conclusion***

**7.0** Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert W Wilson whose telephone number is 571/272-3075. The examiner can normally be reached on M-F (8:00-4:30).

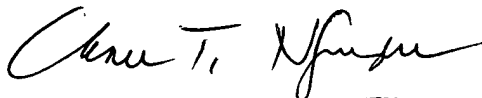
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau T. Nguyen can be reached on 571/272-3126. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Robert W Wilson  
Examiner  
Art Unit 2661

RWW  
2/3/05



CHAU NGUYEN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600